

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRAY, INC.	:	CIVIL ACTION
	:	
v.	:	NO. 21-1254
	:	
DEVON INTERNATIONAL GROUP, INC., et al.	:	
	:	

ORDER

AND NOW, this 3rd day of May 2021, upon considering Defendants Bennett, Devon International Group, Inc., DMD Medical Group, Inc., and Devon MD, LLC's Motion to dismiss (ECF Doc. No. 9), Plaintiff's Response (ECF Doc. No. 16), Defendants' Reply (ECF Doc. No. 19), and for reasons in the accompanying Memorandum, it is **ORDERED**:

1. Defendants Bennett, Devon International Group, Inc., DMD Medical Group, Inc., and Devon MD, LLC's partial Motion to dismiss (ECF Doc. No. 9) is **GRANTED** requiring we dismiss all claims against Defendant Bennett and all tort claims against the entity Defendants without prejudice;

2. Discovery following our initial pretrial conference may include issues relating to Defendant Bennett's potential individual liability; and,

3. Devon International Group, Inc., DMD Medical Group, Inc., and Devon MD, LLC may file an Answer no later than **May 17, 2021**.



KEARNEY, J.